

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
P26,630-A USA

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D. and
Christopher F. Lumpkin**

Serial No.
10/765,350

Filing Date
01/27/2004

Examiner
N/A

Group Art Unit
3739

Title: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**



TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

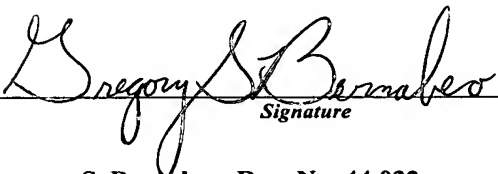
Transmitted herewith is:

Response to Missing Parts dated June 15, 2004 and Petition for Extension of Time (5 months).

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-5425**
as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

X Credit Card Authorization Form


Signature

Dated: **January 14, 2005**

**Gregory S. Bernabeo, Reg. No. 44,032
Synnestvedt & Lechner LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
Tel: 215-923-4466
Fax: 215-923-2189**

I certify that this document and fee is being deposited
on January 14, 2005 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Director of the United States Patent and Trademark Office,
P.O. Box 1450, Alexandria, VA 22313-1450.
PLEASE STOP MISSING PARTS - Comm. For Patents

Signature of Person Mailing Correspondence

Kathy P. Higgins

Typed or Printed Name of Person Mailing Correspondence

CC:

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
P26,630-A USA

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D., and
Christopher F. Lumpkin**

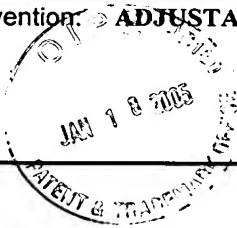
Serial No.
10/765,350

Filing Date
01/27/2004

Examiner
N/A

Group Art Unit
3739

Invention: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**



Mail Stop Missing Parts

TO THE COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
June 15, 2004
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ _____ verified small entity declaration(s)
 - ☐ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

**Drawings - Figures 2, 2a, 2b, 3, 4, 7a-c.
Petition For Extension of Time (5 months)**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
P26,630-A USA

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D., and
Christopher F. Lumpkin**

Serial No.
10/765,350

Filing Date
01/27/2004

Examiner
N/A

Group Art Unit
3739

Invention: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee _____

☐ Design application filing fee _____

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims _____

☐ Surcharge for late payment of filing fee and/or late filing of original declaration or oath _____

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees _____

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☒ Five months

from: **August 15, 2004**
Date

until: **January 15, 2005**
Date

Total time extension fees **\$1,080.00**

Total fees due **\$1,080.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
P26,630-A USA

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D., and
Christopher F. Lumpkin**

Serial No.
10/765,350

Filing Date
01/27/2004

Examiner
N/A

Group Art Unit
3739

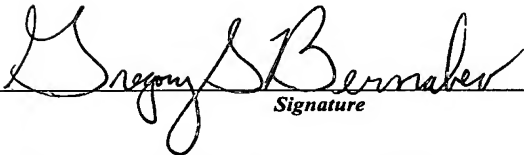
Invention: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$1,080.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-5425**
- ☒ Credit Card Authorization Form


Signature

Dated: **January 14, 2005**

**Gregory S. Bernabeo, Reg. No. 44,032
Synnestvedt & Lechner LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107-2950
Tel: 215-923-4466
Fax: 215-923-2189**

I certify that this document and fee is being deposited
on **January 14, 2005** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450. **MAIL STOP MISSING PARTS**


Signature of Person Mailing Correspondence

Kathy P. Higgins

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/765,350	01/27/2004	Michael J. McGowan	P26,630-A USA

23307
 SYNNESTVEDT & LECHNER, LLP
 2600 ARAMARK TOWER
 1101 MARKET STREET
 PHILADELPHIA, PA 191072950

CONFIRMATION NO. 1070

FORMALITIES LETTER



OC000000012942652

ENTERED COMPUTER

8-15-04

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 2,2a,2b,3,4,7a-c.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

FOR FILE	26680-A-USA
RECEIVED	
JUN 18 2004	
SYNNESTVEDT & LECHNER	
ATTN:	AB/CAH/GSB

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY